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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/782,741	02/19/2004	Patrick J. Sercei	JPSA 001	1664
32047	7590	10/18/2005		
GROSSMAN, TUCKER, PERREAULT & PFLEGER, PLLC 55 SOUTH COMMERICAL STREET MANCHESTER, NH 03101			EXAMINER ELVE, MARIA ALEXANDRA	
			ART UNIT	PAPER NUMBER
			1725	
DATE MAILED: 10/18/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/782,741

Applicant(s)

SERCEL ET AL.

Examiner

M. Alexandra Elve

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) 22-40 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 and 16-20 is/are rejected.
- 7) ☒ Claim(s) 15 and 21 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 February 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 8/16/05, 8/26/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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DETAILED ACTION

Election/Restrictions

Applicant's election with traverse of group I in the reply filed on 8/30/05 is acknowledged. The traversal is on the ground(s) that inventions are related. This is not found persuasive because a method for forming a variable astigmatic focal beam spot, a method of separating a wafer, an apparatus for delivering a laser beam, a method for scribing a semiconductor wafer, and a method for scribing a sapphire substrate are not the same inventions and in fact are different inventions.

The requirement is still deemed proper and is therefore made FINAL.

Claims 22-40 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to nonelected groups, there being no allowable generic or linking claim. Applicant timely traversed the restriction (election) requirement in the reply filed on 8/30/05.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 5, 7-10, 13 & 16-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over MacAnally et al. (USPN 4,752,922) in view of Yamanaka (USPN 6,266,302).

MacAnally et al. discloses a laser system having an astigmatic focusing system, collimation and expansion of the beam(s), the use of a collimator telescope, lens and the formation of multiple focal points.

MacAnally et al. does not specifically teach convergence.

Yamanaka discloses an optical device, which uses an astigmatic element placed in a convergent optical system for focusing the beam and emitting an astigmatic beam.

It would have been obvious to one of ordinary skill in the art at the time of the invention to use convergence as taught by Yamanaka in the MacAnally et al. process because it fully tailors the beam and hence optimizes the cutting area.

Claims 2-4, 11-12 & 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over MacAnally et al. and Yamanaka, as stated in the above paragraph and further in view of Liu et al. (USPN 6,580,054).

MacAnally et al. and Yamanaka do not teach a solid-state laser, UV, pulse durations or the processing of a sapphire substrate.

Liu et al. discloses a process for scribing sapphire substrates using a solid-state laser, which emits UV pulses. GaN is manufactured on the sapphire surface. Laser pulses of 10 to 30 nanoseconds, with a spot size of 5 to 25 microns are used to process the substrate. Grooves of about 40 microns are cut into the substrate and debris is removed using an exhaust system.

It would have been obvious to one of ordinary skill in the art at the time of the invention to use sapphire, a solid state UV laser and noted the pulse durations, as

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taught by Liu et al. in the MacAnally et al. and Yamanaka process because these are merely variations of laser types and the recording of data and parameters, in order to characterize the process operation.

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over MacAnally et al. and Yamanaka, as stated in the above paragraph and further in view of Snyder (USPN 5,181,224).

MacAnally et al. and Yamanaka do not teach the type of lens in the system.

Snyder discloses a laser system, which works with astigmatism features in laser processing. Plano convex and convex-concave devices are used to collimate the laser beam.

It would have been obvious to one of ordinary skill in the art at the time of the invention to use plano convex and concave devices, as taught by Snyder in the MacAnally et al. and Yamanaka processing because these are merely apparatus variants.

Allowable Subject Matter

Claims 15 & 21 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: the prior art does not teach a metal film of Mo or Cu and use of a surfactant.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See US PTO-890.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to M. Alexandra Elve whose telephone number is 571-272-1173. The examiner can normally be reached on 6:30-3:00 Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Dunn can be reached on 571-272-1171. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

October 16, 2005.


M. Alexandra Elve
Primary Examiner 1725